

WEST VALLEY CITY REDEVELOPMENT AGENCY

RESOLUTION NO. 08-08

**A RESOLUTION AUTHORIZING THE AGENCY TO ACQUIRE, BY
NEGOTIATION OR CONDEMNATION, REAL PROPERTY
LOCATED AT APPROXIMATELY 2867 WEST 3500 SOUTH AND
2851 WEST 3500 SOUTH IN WEST VALLEY CITY.**

WHEREAS, pursuant to State law and the terms of the City Center Redevelopment Project Area Plan (the “Plan”), the Agency may purchase, receive, hold, sell, lease, convey, and dispose of real property for the purposes set forth by State law and the terms of the Plan, and also has the power of eminent domain to acquire property for urban renewal purposes and uses; and

WHEREAS, the Board of the Redevelopment Agency of West Valley City, Utah, has determined that it is in accordance with the Plan and in the best interests of the health, safety and welfare of the citizens of West Valley City to acquire a certain adjacent parcels of property located at 2867 West 3500 South and 2851 West 3500 South, West Valley City, which is within the City Center Project Area; and

WHEREAS, the Board of the Redevelopment Agency of West Valley City, Utah, has further determined that acquisition of said parcel of property would be for an urban renewal and public purpose and use and would further the goals of the Plan; and

WHEREAS, the parcels of property sought by the Agency is further described as follows:

Property Owner: Whitmore’s Inc.
Leasehold Tenant: Midas Realty Corporation

Legal Descriptions: PARCEL 1: Beginning at a point 827 feet West and 33.0 feet South of the Northeast corner of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence South 160 feet; thence West 82.0 feet; thence North 160 feet; thence East 82.0 feet to the point of beginning.

PARCEL 2: Commencing 2 rods South and 759 feet West from the North Quarter Corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian, thence West 68 feet; South 257 feet; thence East 68 feet; thence North 257 to BEGINNING.

Said property is also known by the street address of:
2867 West 3500 South, West Valley City, Utah 84119 (Parcel 1)
2851 West 3500 South, West Valley City, Utah 84119 (Parcel 2)

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Agency of West Valley City, Utah, that the Agency is authorized to acquire the fee title to the above-described real property, free and clear of all outstanding liens or encumbrances. This acquisition may be made by offer and negotiation with the owners of the interests in the parcel of real property, for good and valuable consideration equal to the fair market value of said parcel; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to accept and record the deed to said property and to execute any and all documents that may be necessary to complete the acquisition of said real property; and

BE IT FURTHER RESOLVED that should negotiations to acquire the property be unsuccessful, and the use of eminent domain or other legal action be necessary, the City, through its legal counsel, is authorized to undertake condemnation action or such other legal action as may be necessary to acquire, in the name of the City, all interests in the above-described real property in accordance with the applicable statutes relating to the use of eminent domain by the Agency and, if necessary, to make application for an Order of Immediate Occupancy, permitting the Agency to take immediate possession of the above-described real property.

PASSED, APPROVED, and MADE EFFECTIVE this _____ day of _____, 2008.

REDEVELOPMENT AGENCY OF
WEST VALLEY CITY

CHAIRPERSON

ATTEST:

SECRETARY